

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 7140

BILL NUMBER: HB 1375

NOTE PREPARED: Jan 3, 2004

BILL AMENDED:

SUBJECT: Shoreline Impoundments.

FIRST AUTHOR: Rep. Lehe

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: This bill repeals a restriction on the authority of the Department of Natural Resources (DNR) to regulate impoundments on the Tippecanoe River.

Effective Date: Upon passage.

Explanation of State Expenditures: The proposal repeals IC 14-26-2-15, which applies to impoundments of the Tippecanoe River that are formed by a dam or control structure owned and operated by a public utility for the generation of hydroelectric power. The impoundments refer to Lake Shafer and Lake Freeman. Under current law, the DNR may not regulate or interfere with alterations to the shoreline of or construction on the impoundments. This proposal repeals this provision, which would give the DNR authority to regulate the shorelines of Lake Shafer and Lake Freeman. The proposal does not give the DNR new authority. The DNR has the authority to regulate shorelines of other lakes under the Lake Preservation Act. Providing DNR with the authority to regulate the shoreline could result in the need for those wanting to alter or modify the shoreline to obtain a permit from the DNR. Requiring a permit could increase administrative expenses for the DNR; however, the DNR should be able to absorb any additional expenses given its current budget and resources.

Explanation of State Revenues: The DNR may receive additional applications for permits to construct on a shoreline. The fee for the permit is \$100. The overall impact is not expected to be great. Funds received for permits are deposited in the Land and Water Resources Fund, which may be used to develop and expand soil and water conservation programs; conduct research necessary for the management of the water resources; and to offset the cost to the Division of Water of administering the regulatory program.

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Department of Natural Resources.

Local Agencies Affected:

Information Sources:

Fiscal Analyst: Bernadette Bartlett, 317-232-9586.